

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Thomas J.F. Nieland, Monty Krieger and Thomas Kirchhausen

Serial No.: 10/381,746 Art Unit: Not Yet Assigned

Filed: October 8, 2003 Examiner: Not Yet Assigned

For: *COMPOUNDS FOR MODULATION OF CHOLESTEROL TRANSPORT*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit an Information Disclosure Statement, including (5) pages of Form PTO-1449 and copies of forty-seven (47) documents cited therein.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-1868.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
3,625,214	12-07-1971	Higuchi et al.	128/260
4,789,734	12-06-1988	Pierschbacher	530/395
4,906,474	03-06-1990	Langer et al.	424/428
4,925,673	05-15-1990	Steiner et al.	424/455
5,925,333	07-20-1999	Krieger et al.	424/9.1

5,962,322	10-05-1999	Kozarsky et al.	435/375
6,121,319	09-19-2000	Sommers	514/548
6,350,859	02-26-2002	Krieger et al.	530/388.22
6,429,289	08-06-2002	Krieger et al.	530/350

Foreign Documents

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
WO 96/00288	01-04-1996	Massachusetts Inst. Technology	PCT
WO 99/11288	03-11-1999	Massachusetts Inst. Technology	PCT

Publications

ACTON, et al., "Expression cloning of SR-BI, a CD36-related class B scavenger receptor," *J. Biol. Chem.* 269:21003-21009 (1994).

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MIETTINEN, et al., "Abnormal lipoprotein metabolism and reversible female infertility in HDL receptor (SR-BI)-deficient mice," *J. Clinical Invest.* 108: 1717-1722 (2001).

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RIGOTTI, et al., Regulation by adrenocorticotrophic hormone of the in vitro expression of scavenger receptor class B Type I (SR-BI), a high density lipoprotein receptor, in steroidogenic cells of the murine adrenal gland," *J. Biol. Chem.* 271:33545-33549 (1996).

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TEMEL, et al., "Apolipoprotein A-I is necessary for the in vivo formation of high density lipoprotein competent for scavenger receptor BI-mediated cholesteryl ester-selective uptake," *J. Biol. Chem.* 277(29): 26565-26572 (2002).

U.S.S.N.: 10/681,746
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TRIGATTI, et al., "Influence of the high density lipoprotein receptor SR-BI on reproductive and cardiovascular pathophysiology," *Proc. Nat. Acad. Sci. USA* 96: 9322-9327 (1999).


UEDA, et al., "Relationship between expression levels and atherogenesis in scavenger receptor class B, type I transgenics," *J. Biol. Chem.* 275: 20368-20373 (2000).

UITTENBOGAARD, et al., "Cholesteryl ester is transported from caveolae to internal membranes as part of a caveolin-annexin II lipid-protein complex," *J. Biol. Chem.* 277: 4925-4931 (2002).

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Dated: December 31, 2003

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Filed: October 8, 2003
INFORMATION DISCLOSURE STATEMENT

Certificate of Mailing under 37 C.F.R. § 1.8(a)

I hereby certify that this Information Disclosure Statement, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Jennifer Vicente

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				First Named Inventor		Thomas J.F. Nieland
				Group Art Unit		
				Examiner Name		
Sheet	1	of	5	Attorney Docket Number		MIT 9952

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	US Patent Document		Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		3,625,214		Higuchi et al.	12-07-1971	
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		4,906,474		Langer et al.	03-06-1990	
		4,925,673		Steiner et al.	05-15-1990	
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		6,121,319		Sommers	09-19-2000	
		6,350,859		Krieger et al.	02-26-2002	
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FOREIGN PATENT DOCUMENTS							
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		Office. ³	Number ⁴	Kind Code ⁵ (if known)			
		PCT	WO 96/00288		Mass. Inst. Tech.	01-04-1996	
		PCT	WO 99/11288		Mass. Inst. Tech.	03-11-1999	

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OTHER ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		ACTON, et al., "Expression cloning of SR-BI, a CD36-related class B scavenger receptor," <i>J. Biol. Chem.</i> 269:21003-21009 (1994).	
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